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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

**IN RE STATIC RANDOM ACCESS
MEMORY (SRAM) ANTITRUST
LITIGATION**

Master File No. M:07-CV-01819-CW

MDL No. 1819

This Document Relates to:

ALL ACTIONS

**SUPPLEMENTAL CASE MANAGEMENT
CONFERENCE STATEMENT OF
PLAINTIFFS**

Date: June 1, 2007

Time: 1:30 p.m.

Ctrm: 2

Hon. Claudia Wilken

1 **SUPPLEMENTAL CASE MANAGEMENT STATEMENT OF PLAINTIFFS**

2 On Monday, May 21, 2007, the United States Supreme Court issued its decision in *Bell*
 3 *Atlantic Corp. v. Twombly* (No. 05-1126), ___ S.Ct. ___. See Exhibit C to Joint Case Management
 4 Conference Statement. Late on Tuesday, May 22, 2007, the day the Joint Case Management
 5 Conference Statement was due, plaintiffs received defendants' portion of the Joint CMC
 6 Statement, which included an extensive discussion of the *Twombly* case. Because plaintiffs did
 7 not have an adequate opportunity to respond to Defendants' discussion of the *Twombly* case as
 8 part of the Joint Case Management Conference Statement, plaintiffs submit this Supplemental
 9 CMC Statement.

10 The rationale of the *Twombly* decision was that antitrust defendants should not be
 11 subjected to the burden of responding to discovery if a legitimate issue exists concerning the
 12 sufficiency of the plaintiffs' complaint. Plaintiffs do not believe that *Twombly* presents any
 13 impediment to this action, but make the following proposal in order to provide for the most
 14 efficient case management and best interests of the classes:

- 15 1. All defendants who have produced documents to the Department of Justice
 16 should produce copies of those same documents, in the same format, to
 17 plaintiffs. To the extent any defendant hereafter produces documents to
 18 the Department of Justice, those documents should also be produced to
 19 plaintiffs. In addition, all defendants who have received subpoenas as part
 20 of the Department of Justice's grand jury proceedings should provide
 21 plaintiffs copies of the subpoenas and copies of any written
 22 communications between the Department of Justice and the defendants or
 23 their counsel concerning the subpoenas. It is plaintiffs' understanding that
 24 the Department of Justice has no objection to the plaintiffs' request to
 25 receive the subpoenas and the documents that have been produced in
 26 response to the subpoenas.

2. All documents produced by defendants in the DRAM class actions should be available for use by plaintiffs here.

Plaintiffs will then have the opportunity to make use of these materials to the extent necessary in order to prepare the consolidated amended complaints. Plaintiffs propose that amended consolidated complaints be filed on or before August 31, 2007, and that a further case management conference be set shortly thereafter in September of 2007. Attached to this supplemental case management conference statement as Exhibit A is a revised proposed schedule for these actions.

Dated: May 31, 2007

By _____/s/_____

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